Bryan Morning Eagle

FOURTEENTH YEAR | BRYAN, TEXAS, TUESDAY MORNING, JANUARY 19, 1909 | NUMBER 36

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Howell & Newton, Inc.

TEXAS WINS BIG CASE.

Supreme Court Rules Adverse to Waters-Pierce Company.

DECISION IS UNANIMOUS.

Case, Warmly Contested In the Courts of the Lone Star State, Has Been Watched With Great Interest by All Classes of Citizens.

Washington, Jan. 18.—The supreme court of the United States has affirmed the decree of the state courts of Texas in imposing a fine of $1,623,900 on the Waters-Pierce Oil Company of St. Louis and ousting that corporation from the Lone Star state on the charge of violating the Texas anti-trust law.

Texas scores a complete victory in each of the three cases.

The opinion is not yet available, but statement is made that Texas wins every federal point involved. The decision in each case was by Justice Day without a dissenting opinion. The result is Texas can collect $1,623,900 fine and state receivership remains.

The first case decided was Bradley Palmer and Henry Clay Pierce against Texas, appealing from decision upholding state receivership. The supreme court affirmed decision of Texas courts with cost.

The second case was No. 360, on attacking ouster and receivership case. The supreme court dismissed this appeal for want of jurisdiction.

Third case was No. 360, appealing from $1,623,900 fine. The court affirmed the decision of Texas courts upholding this fine.

The case came to the supreme court on writ of error from final decision of circuit court of appeals for the Third judicial district of Texas by verdict of trial court and the district court of Travis county is sustained.

Justice Day announced the decision affirming finding of the Texas court. The case turned on point as to whether the proceedings of the state against the company had been in accordance with the constitutional requirement for due process of law and the court held such was the case. While regarding fine as very large Justice Day's opinion held it was competent to impose it.

The court also sustained action of Texas courts in the appointment of Robert J. Eckhart as receiver, and thus again decided against the company, which sought to have sustained the action of the federal court in appointing C. B. Dorchester at the instance of the company.

The decisions in all cases were unanimous.

J. D. Johnson, general attorney for the Waters-Pierce Oil company and one of the associate counsel in the Texas suit, declined to discuss the decision.

"The Asociated Press dispatch is the first information which I had on the matter," he said, "Obviously I am not prepared to discuss it."

IN MEMORIAM

Of Edgar Allen Poe on the Century of His Birth Day.

Edgar Allen Poe was born in Boston on January 19, 1809, and died in Baltimore, October 7, 1849.

His father was David Poe, a shiftless and gifted actor, his mother a beautiful English actress, named Elizabeth Arnold.

Several years later both parents died within a few weeks of each other leaving three children, of whom Edgar was the second.

Edgar was a handsome and bright boy, was adopted to John Allan, a wealthy merchant of Richmond, Va., whose wife had taken a great fancy for the child.

Poe was sent to a school at Stoke Newington, England, for five or six years and then entered the University of Virginia, but was removed on account of his gambling habit, by Mr. Allan.

At the age of eighteen Poe went to Boston, where he published his first volume of poems. Shortly after he enlisted in a battery of artillery, from which he was granted a discharge through the influence of Mr. Allan.

Through the influence of his foster parents he was enabled to enter West Point on July 1, 1830. On March 6, 1831, he was dismissed by court martial, for gross violations of the regulations. This caused Mr. Allan to abandon Poe to his fate.

Poe republished his poems and tried to earn his living by literary work, but failed owing to his intemperate habits. He enlisted again as a private in the army, but was discharged after he had been recognized by several young officers.

In 1833 the Baltimore Saturday Visitor offered two prizes of $100 each for a story and a poem, and Poe won both. With this success began his career as editor and contributor to magazines. He found employment on several magazines in Richmond, Philadelphia and New York and contributed to them a large number of poems, stories, essays and criticisms.

The products of his genius were not appreciated by his contemporaries and his erratic disposition and intemperate habits compelled him to make frequent changes of position.

In 1836 he married Virginia Clemm, then only thirteen years of age, who died on January 30, 1847. With her died the good angel of Poe who was passionately devoted to her.

After the death of his wife, who had been an invalid nearly all of her life, Poe became even more erratic in his work and his habits than before and only the friendship of several women, who were greatly devoted to him, kept him from sinking still lower. Death surprised him while he was in Baltimore.

DAVIDSON DELIGHTED.

Action of Highest Tribunal Is Pleasing to the Attorney General.

Austin, Jan. 18.—The news that the supreme court of the United States had sustained the judgment in the state's case against the Waters-Pierce Oil company was received with great pleasure by the attorney general. The total amount of fine imposed by trial court in case is $1,623,900 and fees of County Attorney Brady, who is the only state official who gets any fees is approximately $390,000. Out of this amount he will have to divide fees with several attorneys who were employed to assist the state in the prosecution of the case

The final outcome, however, depends on the disposition of a case now pending in the state supreme court. The anti-trust act of 1899 allows 25 per cent attorneys' fees on $1,545,000 of the fine, while the act of 1903 allows 10 per cent on the first $1,000 and 5 per cent on each additional $1,000.

This suit in the supreme court is to determine whether the county attorney can collect the 25 per cent allowed under the act of 1899 or the fees under the act of 1903. The case so far has been decided in favor of the county attorney in lower courts

Eckhart Informed.

Taylor, Tex., Jan. 18.—Robert J. Eckhart of this city, appointed state receiver for the Waters-Pierce Oil company, who resides at this city, now visiting at Yorktown, was telephoned the action of the United States supreme court.

DREADFUL MISTAKE.

Gasoline Mistaken For Kerosene and Results Are Something Horrible.

Abilene, Tex., Jan. 18.—Mann Headstream and his three year old son, five miles west of Roby, were burned to death, and five other members of the family probably fatally burned by a gasoline explosion.

A member of the family mistook gasoline for kerosene and poured the fluid into live flames. Deafening explosion followed. Neighbors rushed in to find every person there wrapped in flames.

Burned Rescuing Daughter.

Childress, Tex., Jan. 18.—Jake Swafford received serious burns while rescuing his eight year old daughter from their burning home. The girl was ill in bed with fever in the upper story. Swafford dashed through flames with the sufferer in his arms. His wife was also ill in a room below, but was saved. The residence and contents were destroyed.

Bishop McQuaid Passes Away.

Rochester, N. Y., Jan. 18.—Rt. Rev. Bernard J. McQuaid, bishop of the Roman Catholic diocese of Rochester, died arly Monday, aged eighty-five years.

Brakeman Crushed to Death.

Bristol, Tenn., Jan. 18.—R. C. Gilmore, a brakeman, was crushed to death between cars.

HOUSE STOPS WILLETT.

During His Remarks President Scathingly Arraigned.

Washington, Jan. 18.—By a vote of 73 to 16 the house Monday referred to permit Congressman Willett of New York continue a speech which had for its theme "The Passing of Roosevelt." During his remarks the congressman made one of the most bitter attacks on the chief executive ever heard in that body. So strong was the language that Mr. Willett, by the above vote, was compelled to close his remarks.

SPRING HIL COLLEGE BURNS.

One of the Oldest and Most Noted Southern Colleges In Ruins.

Mobile, Jan. 18.—The famous Spring Hill college, the oldest in the southern states and well known all over the United States and Europe, was destroyed by fire Monday. There was no loss of life. The college, standing on high plateau about seven miles from the city, could not be reached by the city firemen in time to master the flames. The fire started in the chapel and is thought to have been caused by crossed wires from a moving picture machine in use Sunday evening.

When the blaze was discovered the 325 students were at morning service. They filed out quietly and fought the flames. Buildings destroyed were the college chapel, the exhibition hall, music room, college library, college museum, two dormatories, junior study, junior gymnasium and junior library. No estimate of the loss is available. Among the contents of the buildings, especially in the museum, were many priceless relics and valuable specimens.

HITS WIFE WITH PICK.

Henry Pyles Then Kills His Son and Terminates Own Career.

Fairmount, W. Va., Jan. 18.—Henry Pyles, a miner of Shinnston, Sunday struck his wife with a pick, seriously peaches."

Mr. Parry urged the building of interurban railway lines. He said in this connection:

"During the year 1908 the interurbans brought into Indianapolis more than 7,000,000 passengers, nearly three times the population of the entire state of Indiana. Interurbans have built up the wholesale and retail trade of Indianapolis; at the same time they have built up the small towns on them and have made the farm lands more valuable. They enable the merchants in the small towns to deal in a great variety of articles which they could not handle without interurbans, and at the same time do business on less capital. When they have a call for an article which they do not carry or do not happen to have on hand country merchants telephone to the city and have it sent out on an interurban express in a few hours."

BIG EXHIBITION ON.

Many Cattlemen In Attendance at Denver.

Denver, Jan. 18.—The National Western Stock show opened Monday in the big Stadium especially prepared for it. Governor Shaffroth formally dedicated the amphitheater to the live stock interests of the state and Mayor Denver accepted the building as an addition to public structures of the city. The show brought exhibits from all over the United States and is attracting widespread interest among stockmen. Many prominent packers and breeders are in attendance. The show continues until Jan. 23.

Adverse to Moyer.

Washington, Jan. 18.—The supreme court of the United States decided against former President Moyer of the Western Federation of Miners in the damage suit brought by him against former Governor Peabody of Colorado, on account of Moyer's imprisonment on the governor's orders because of his alleged connection with the riots at Telluride, Colo., in 1904.

Shoots Himself In Mouth.

Selma, Ala., Jan. 18.—J. N. Smith, a well known photographer, shot and instantly killed himself in his room over the studio by shooting hismself in the mouth with a pistol. He had just finished reading of the suicide of a physician at aMrion, Ala., and it is suposed this, coupled with ill health, prompted him to take his own life.

Due to Business Disagreement.

Vienna, Ga., Jan. 18.—P. G. McDonald a well known man of Dooley county, was shot and killed in his home here by W. Theodore McDonald, his nephew. Young McDonald surrendered. He claims the killing was in self defense. They had a business disagreement.

Warships to Remain.

The Hague, Jan. 18.—The givernment has decided to keep warships in West Indies until the dispute between Venezuela and Holland is definitely disposed of.

Clara Morris Seriously Ill.

Yonkers, N. Y., Jan. 18.—Clara Morris, the actress, is seriously ill. She is sixty years old.

Slight Shocks Continue.

Messina, Jan. 18.—Slight earthquake shocks continue at brief intervals.

"Cheer Up"
1909
IS
City National Bank
.. YEAR ..

and our friends stay with us because they know we stay with them. We want your business. Come and tell us your wants.

THE CITY NATIONAL BANK

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E. H. ASTIN, Vice-Pres. E. W. CRENSHAW, Asst.-Cashier.
J. N. COLE J. K. PARKER J. W. ENGLISH

LONE STAR LAUDED.

"Texas Is Most Moral State In the Union," Says Will Sargent.

Chicago, Jan. 18.—"Texas is the most moral state in the Union," says Will Sargent of Fort Worth, who is at Chicago. "Under existing laws, which are really enforced, you cannot play cards on trains or any other place. Women have to forego their euchre, and bridge whist parties or else do away with prizes. All raffles are prohibited. The fine for carrying a revolver is $100, and, in fact, it is hard to get hold of such weapon. Any man who kills another now quickly and surely punished. Saloons are hermitacally sealed Sundays, must close at midnight and three-quarters of the counties have local option.

COWAN RETURNS.

Confident That Hides Will Not Be Put on Free List.

Fort Worth, Jan. 18.—Judge S. H. Cowan, general attorney of the Texas Cattle Raisers' association, has returned from Washington, where he has been leading the fight before the ways and means committee to retain the present tariff on hides. Judge Cowan says cattlemen and farmer organizations are planning close co-operation and will likely join in a movement to request President Elect Taft to retain Mr. Wilson as secretary of agriculture. If Mr. Wilson is not reappointed they will demand a western man to succeed to his portfolio. Judge Cowan is confident hides will not be placed on the free list.

BOLDEST OF BURGLARS.

Laugh Loudly as They Make Their Escape With Considerable Cash.

Enid, Okla., Jan. 18.—Burglars entered the First State bank at Carrier, thirteen miles northwest of here Monday morning, wrecked the safe and escaped with $3,000. Two charges of nitro glycerin were used to shatter the vault. Citizens awakened rushed to the bank, but were driven back by the robbers at the point of revolvers. Several shots were exchanged. The burglars laughed loudly as they were making their escape with the money. The bank building was completely wrecked. Posse started in pursuit.

Hearing Set For Feb. 15.

St. Louis, Jan. 18.—Dispatches from Washington say final hearing by the interstate commerce commission relative to the 10 per cent increase in freight rates in Texas will be held at this city Feb. 15. The last hearing will be held at San Antonio. Texas business men declare the railroads were not justified in raising rates and say it is hurting traffic. The inrease became effective last August.

There's nothing but that's bearable as long as a man can work.—Eliot.

DID NOT COME UP.

Submission Matter Goes Over Until Wednesday.

Austin, Jan. 18.—The question of adoption of committee reports on proposed submission amendment did not come up Monday morning in the senate. Senator Brachfield, author of the resolution, said he would call up the reports on Wednesday.

Numerous petitions were received in the senate Monday. One is a petition from the International Machinists' unions of Denison, urging the passage of Representative Byrnes' bill prohibiting railroads sending equipment out of the state to be required.

Among bills introduced in the senate were: By Terrell of McLennan, providing working of short term convicts on county roads; by Meachum, making it a felony for any person to send another person an anonymous letter reflecting on the character, reputation and virtue of any person; by Perkins, making it a felony to pursue the occupation of selling intoxicating liquors in local option districts; by Terrell of Bowie, to place the Alamo property in care of the state superintendent of public buildings and grounds; by Ward, to make a railroad name a station or town by same name as used by postoffice; by Perkins, prohibiting the sale of liquor in disorderly houses.

The resolution was adopted allowing each senator ten copies of the senate journal to mail to constituents.

Speaker Kennedy appointed Lilia Craig of Grayson county his private stenographer. Others appointed stenographers are Anna Hoffman, McLennan; Lizzie Williamson, Falls; Rika Peterson, Bexar; Miss Lowdy, Bexar.

CONSENTS ARE ILLEGAL.

Decision Will Revolutionize the Shipping of Cattle In State of Texas.

Kansas City, Jan. 18.—Judge Pollack, in federal court, fined the Katy road for violating the national twenty-eight hour law. This decision will revolutionize shipping cattle in Texas. Heretofore, upon written consent of a shipper, the railroads were permitted to carry cattle thirty-six hours without water or food. Judge Pollack held these consents are illegal and Texas roads will be forced to make sweeping changes.

Mammoth Ammunition Order.

Philadelphia, Jan. 18.—Orders have been received at the Frankford arsenal of this city for the manufacture of 5,000,000 rifle cartridges. This order, with those in hand, will keep the arsenal busy day and night until the end of the fiscal year in June.

More Cholera Cases.

St. Petersburg, Jan. 18.—There has been a marked increase in cholera here. Fifty-nine more cases are reported and twenty-one deaths

Our Cold Tablets

Clear up the throat and lungs in a short time.
Best thing in the world to have about the house.

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1476 acres of land in the Moses Hughes survey, near Edge. Price and terms reasonable.

Half acre of land with improvements, one block east of my home.

80 acres adjoining T. & M. College land on west side, near Providence church. Known as the George Platzer place.

190 acres, including Double Sulphur springs, on Navasota river.

V. B. HUDSON.

Your merchant handles fresh home ground meal, ask for it. tf

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DR. W. H. LAWRENCE

DENTIST

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Subscribers will confer a favor on the management by telephoning the office promptly when carriers fail to deliver the paper, or when change of residence occurs.

BRYAN, TEXAS, JANUARY 19, 1909

KNEADING AND NEEDING

Sorry we can't give the proper credit to the author of this paragraph, which is going the rounds. "It is reported that one of the fastidious newly-married ladies of this town kneads bread with her gloves on. This incident may be somewhat peculiar, but there are others. The editor of this paper needs bread with his shoes on, he needs bread with his shirt on, he needs bread with his pants on, and unless some of the delinquent subscribers of this old rag pony up before long, he will need bread without a d—n thing on, and south Texas is no Garden of Eden in the winter time."

WHY LIMIT IT TO LEON.

The legislature is now in session and every man in Leon county should subscribe for a daily paper, and watch closely the proceedings and the vote of your representatives and senator on different measures so that you can know whether or not to approve of his legislative course and vote intelligently when he offers for office again.—Marquez Siftings.

DAVIS OF BRAZOS.

Davis of Brazos dealt the officious meddlers of the administration a solar plexus when he drew the constitution of 1876 on them. It is well that dictatorial attaches of the state house be given an introduction to this instrument occasionally by a man of Davis' calibre.—Marlin Democrat.

There are at this writing three political storm centers—at Washington, Nashville and Austin.

If the mortgage is taxed the mortgaged property ought to be exempt. Double taxation is unjust.

Hats off to the mayor and city council. They will give the people a chance to vote on the waterworks proposition.

If everybody in the world knew what we'uns do the population of Brazos county would soon be half a million and that of Bryan a hundred thousand.

Senator Tillman may have violated no statute but he broke the moral law when he made use of his political position to gain an unfair advantage for himself.

If old John Wesley came to Bryan, still entertaining the notion that cleanliness is next to godliness, we are afraid he would find some mighty ungodly spots.

The man claiming to be a democrat and favoring compulsory attendance at school has a queer idea of democracy. But if a majority of the people want socialism they are going to have it.

When the statewide prohibition election comes, and it is bound to come in the near future, it will probably be the hardest fought political battle in the history of Texas. The man without a poll tax receipt will be a nobody.

Convalescent Texas can sympathize with Louisana and Mississippi which are now suffering with the boll weevil attack in its worst stages. Isn't it great to be able to tell them we've had it and that diversification is the only remedy.

FOR T. W. C.

Benefit for the College was Largely Attended Last Night.

The T. W. C. school of expression, under the directionof Miss Frank A. Broome, plesed a large audience at the Grand opera house last night with the following program:

"The Obstructive Hat in the Pit"—Alline Rhode, Thelma Sells, Myrtle Jordan, Gladys Boyett, Martha Koppe and others.

Reading—A dumb Waiter Difficulty—Alline Rhode.

Reading—Since Birdie Commenced her Delsarte—Thelma Sells.

Illustration of Tennyson's "Sweet and Low"—Mary McInnis, assisted by Bryan Quartette.

Reading—A Negro Sermon on Memory—Martha Koppe.

"Don't You Tell"—Alline Rhode and Wilson Buchanan.

Reading—Summer Piazza Ladies—Myrtle Jordan.

"I can't do the Sum"—Gussie Buchanan, Martha Koppe, Alline Rhode.

After the foregoing numbers, a little skit entitled "A Pan of Fudge" a sketch of college life, was given with the following cast:

Bettina Spencer, a Senior—Myrtle Jordan.

Pauline Newman, her room mate—Gene Dennis.

Elizabeth Bryant, her chum—Alline Rhode.

Rita and Nita Dunbar, Junior twins—Gladys Boyett and Martha Koppe.

Mlle. Dupri, the new French teacher—Gussie Buchanan.

Time—The Present.

Scene—Study hour in the evening.

The entertainment was thoroughly enjoyed, and the proceeds derived from the staging of the play will be devoted to the Texas Woman's College.

Funeral of Mrs. Mendola.

Mrs. Mendola's funeral took place Sunday from St. Joseph's church, this city. The large auditorium of the church was crowded with friends of the deceased. The altars were draped in black. The casket stood in front of the altar, surrounded by lighted tapers. In the funeral sermon Father Gleissner spoke of her beautiful christian life. A large number of friends accompanied the remains to the City cemetery. Amidst the chanting of psalms and the recital of prayers, the coffin was lowered. Whilst the grave was covered, the Sacred Heart League sang Mrs. Mendola's favorite hymn.

Monday morning a solemn requiem mass was sung for Mrs. Mendola's soul's repose.

Following are the relatives from a distance who came to attend the funeral: Mr. and Mrs. J. T. Nelson and family and Mr. and Mrs. T. H. Hays of Houston, Mrs. L. C. Mendola, mother of Mr. L. B. Mendola, of Houston, Mr. and Mrs. Jake Altenberger of Galveston, Mr. Ernest Altenberger of Navasota, Mrs. Rose Biuffre of Dallas, Mr. and Mrs. J. C. Boyett of College, and Miss Kate Gallington of College.

Lobello—Zanetti.

Mr. Sam Lobella and Miss Ella Zanetti were united in the holy bonds of matrimony Sunday morning at 8:45, Rev. J. B. Gleissner of St. Joseph's church performing the ceremony.

The bride is the youngest daughter of Mrs. M. L. Zanetti and was reared in Bryan. She is an amiable young lady and has many friends. This happy union being the sixty-seventh anniversary of her grand-mother, Mrs. B. F. McKey. The bride wore a beautiful gown of white net over silk. The bridesmaid, Miss Pearl Zanetti, wore a dress of cram. Mr. Lobello is a bright energetic young man. He is the proprietor of the Star Barber Shop, and has many warm friends who wish for him and his bride a long happy life. An elaborate dinner was served at the home of Mr. and Mrs. Charles Todaro. They were the recipients of many handsome gifts and will be at home to their many friends at the residence of the bride's mother, Mrs. M. L. Zanetti.

THE WEATHER.

Special to Bryan Morning Eagle.

New Orleans, La., Jan. 18.—Tonight and Tuesday, threatening and warmer. —Cline.

Cakes and Candy.

I have a nice line of fresh home made Fruit cakes and nice fancy cakes and candy.

Mrs. Otto Boehme. tf

NOTICE!

There are 2397 receipts to be issued before February 1, 1909. Don't think we can issue all on the last day; if you do you will get left. *So come right now and get yours.* Yours truly,

W. WIPPRECHT,
Tax Collector.

Jan. 13th, 1909.

LEGAL PUBLICATION.

Every Tax Assessor and Deputy Tax Assessor in this state in addition to the oath prescribed by the Constitution of this state shall, before entertng upon the duties of his office, take and subscribe to the following oath:

ASSESSOR'S OATH.

"I, J. H. McCullough, Tax Assessor in and for Brazos county, Texas, do solemnly swear that I will personally view and inspect all the real estate and improvements thereon subject to taxation lying in said county that may be rendered to me for taxation by any corporation or individual, or by their agent or representative, as fully as may be practicable, and that I will as fully as is practicable view and inspect all other taxable property n said county rendered to me as aforesaid, that I will to the best of my ability make a true estimate of the cash value, the market value of such property, if such property has a market value, and if it has no market value, then the real value of all such property, both real and personal, on the 1st day of January next preceding, and that I will make up and attach to each assessment sheet made up and sworn to by the said property owners, their agents or representatives, a true assessment and valuation of said property, together with a memoranda of all facts which I may learn bearing upon the vaule of said taxable ptoperty, and that I will make all possible inquiry relative to the true ualue of such property, and that I will attach said memoranda and statement of facts that I may ascertain as aforesaid to the said assessment sheet of the respective property owners. That I have read and understand the several provisions of the Constitution and laws of this state relative to the valuation of taxable property, and that I will faithfully do and perform every duty required of me as Tax Assessor by the Constitution and laws of this state, so help me God."

"Article 5124. The board of equalization shall have power and it is made their official duty to supervise the assessment of their respective counties, and if satisfied that the valuation of any property is not in accordance with the laws of the State, to increase or diminish the same and to affix a proper valuation thereto, as provided for in Article 5123 of this act, and when any Assessor in this State shall have furnished said court with the rendition, as provided for in Article 5123 of this act, it shall be the duty of such court to call before it such persons as inits judgement may know the market value or true value of such property, as the case may be, by the proper process, who shall testify under oath the character, quality and quantity of such property, as well as the value thereof, said court after hearing the evidence shall fix the value of such property in accordance with the evidence so introduced and as provided for in article 5123 of this act; and their action in such case or cases shall be final.

"Art. 5124-c. When a commissioners court in this State convenes as a board of equalization, before considering the subject of equalization of property values for the purpose of taxation, each member of the court, including the county judge, shall take and subscribe the following oath: I....., a member of the board of equalization of ....., county, for the year A. D. ....., hereby solemnly swear that in the performance of my duties as a member of such board for said year, I will not vote to allow any taxable property to stand assessed on the tax rolls of said county for said year at any sum which I believe to be less than its true market value, or if it has no market value; then its real value; that I will faithfuly endeavor and as a member of said board will move to have each item of taxable property which I believe to be assessed for said year at less than its true market value or real value raised on the tax rolls to what I believe to be its true cash value, if it has a market value, if not then its real value and that I will faithfully endeavor to have the assessed valuation of all property subject to taxation within said county stand upon the tax rolls of said county for said year at its true cash market value, or if it has no market value,, then its real value, I further solemnly swear that I have read and understand the provisions contained in the Constitution and laws of this State relative to the valuation of taxable property, and that I will faithfully perform all duties required of me under the Constitution and laws of this State, so help me God.' Said oath shall be filed and recorded in the commissioners court record as a part of the proceedings of that term of court.

"Art. 5124-d. If in passing upon the value of any property by a commissioners court, sitting as a board of equalization in this State, the court shall fix a value upon any property for the purpose of taxation and a minority of said court do not concur in the judgement of the court, the clerk shall record in the minutes of the court the names of the members, including the county judge, who do not concur in fixing such values (if the county judge shall cast the deciding vote in such matter), and if any Tax Assessor or members of any commissioners court in this State shall knowingly fail or refuse to fix the value of property rendered for taxes in compliance with this act, and all other laws of this State, such failure, neglect or refusal shall constitute malfeasance in office on the part of such Assessor or member or members of said court, and such failure, neglect or refusal shall be cause for his or their removal from office."

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About half a block of ground in good neighborhood and five room house. Brick cistern Large shade trees.

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The First National Bank

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GUY M. BRYAN, Jr., Vice President
H. O. BOATWRIGHT, Vice President
L. L. McINNIS, Cashier
R. W. HOWELL, Asst. Cashier

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Insure in the SOUTHWESTERN LIFE INSURANCE CO., Dallas, Tex

Why? Because it is a Texas company, has ample Capital and Surplus and will keep Texas money in Texas. Joe B. Reed will explain the different plans and rates and can also write Accident and Sick Benefit Insurance with the best companies and give you just what you want, and you will know what you are getting. Every man and woman under 50, in good health, should join

FRIEND IN NEED SOCIETY.

Many are now enjoying the benefits of Life Insurance that would not, but for his efforts

JOE B. REED.

ASTHMA VANISHES

So Does Catarh, Croup, Hay Fever and Bronchitis.

Hyomei is a confidence creator. The first time you breathe in this powerful yet soothing antiseptic air, you will know that it has marvelous curative virtues. There is nothing disagreeable about Hyomei. It is a very pleasant and prompt remedy for catarrh, colds asthma, croup, bronchitis, etc.

If your head is so stuffed with mucous that you cannot breathe a particle of air through your nostrils, Hyomei will open them and give relief in five minutes.

Why will sensible people suffer longer, why will they wheeze and hawk and spit and smother, when E. J. Jenkins will guarantee Hyomei to cure or money back. $1.00 is all Mr. Jenkins asks for a complete outfit.

"I have used Hyomei for hay fever, and can pronounce it the best relief for this trouble that I ever tried or heard of. I have had this malady for years, and have doctored and used many remedies, but Hyomei is far ahead of any of the others, and has many hearty endorsements."—Mrs. M. S. Martin, Cassopolis, Mich., Aug. 27, 1008.

MI-O-NA

Cures Dy[spepsia]

Your money back IN
mediate relief from
ach, stomach distre
50 cents a large b

E. J. oods

N

ED HALL'S

Florida Grape Fruit . . . . . 60c per dozen

Fresh Pine Apples . . . . . 20c each

Cuban Tomatoes . . . . . 60c basket

Bananas, Oranges and Apples. Fresh Jumbo Celery

Phones 22 & 114

RAILROAD TIME CARD.

H. & T. C. Schedule.

No. 3 North bound.....1:38 p.m.
No. 5 North bound.....12:46 a.m.
No. 2 South bound.....3:40 p.m.
No. 6 South bound.....2:48 a. m.

I. & G. N. Schedule.

No. 14 North bound.....12:58 p. m
No. 15 South bound.....4:11 p. m.

LOCALS AND PERSONALS.

Uncle Bob Carr is visiting at Carr's switch.

Mr. Bev Tucker of Mart is visiting in the city.

Miss Emma Tucker of Houston is the guest of Mrs. W. S. Higgs.

Mrs. B. L. Reed went down to Mumford Sunday.

For Sale: Three good young milch cows with calves. All fresh in milk. [illegible] Adams. W1538

Mr. Sam Welch was a visitor to the city Sunday.

Mr. Fred Truitt left yesterday for a visit to Dallas.

Mrs. G. S. Parker has returned from a trip to Dallas.

Tax Collector W. Wipprecht visited Millican Sunday.

Mr. J. W. Shepard of Kurten was in the city Monday.

W. P. Bullock transacted business here Monday.

R. A. Harrison is transacting business in Houston.

Mr. F. D. Perkins left Sunday for his home in McKinney.

Mr. Walter J. Coulter paid Waco a business visit Sunday.

Wear Drew Selby Shoes and you will wear smiles; they are comfortable and pretty, $2.50 and $4.00. Wilson & Derden. 37

Mr. John Newcomb was a visitor from Reliance Monday.

Mr. J. H. White of Wixon was a visitor to the city Monday.

Mr. Ed Zyptak of Reliance transacted business here Monday.

Mr. C. C. Morgan of Reliance transacted business here Monday.

Mr. T. A. Bullock of Harvey transacted business here Monday.

Mr. Joe Lloyd of Reliance transacted business hereMonday.

Mr. Chas. Smith of Reliance was a visitor to the city Monday.

Mrs. Johnnie Koppe of Kurten transacted business here Monday.

Don't buy inferior makes when you can buy Drew Selby Shoes for the same price. See our beautiful styles in strap pumps and oxfords, $2.50 to $4.00. Wilson & Derden. 37

Mr. John Mathis of Reliance was a visitor to the city yesterday.

Wilson & Derden are showing the latest models in Drew Selby oxfords and strap pumps in browns and patent leather, $2.50 to $4.00 37

Rev. Hy Hunter of George, Texas, has moved to Bundy Prairie.

New Barretts large size, hair nets and belt pins, at Wilson & Derden 37

Mr. Will Shealey was a business visitor from Reliance Monday.

New galitea cloth for early spring wash suits, Red seal and A. F. C. ginghams. Wilson & Derden. 37

Miss Loraine Reynolds of Franklin is the guest of Miss Aline Rohde.

Mr. C. S. Jones of Harvey was a business visitor to the city Monday.

Lord John Hoghton Dalton and his secretary, Mr. Lee Foley, of Navasota,

Ladies Kid Gloves $1 and $1.50 slightly damaged, your choice 50 cents pair. Webb Bros. 36

Miss Annie Register of Kurten was in the city Monday on a shopping trip.

Mr. Will Kinney returned to Ennis Sunday after a visit to relatives in this city.

Miss Daisy Lee returned to Mumford Sunday, after a visit to friends here.

Rev. T. A. Searcy goes to Zulch today to fill his appointment at that place.

Mr. Robert Owens of Keith, Grimes county, transacted business here Saturday.

Rev. Frank Nash of Calvert was in the city Monday. He is preaching at Tryon.

Mr. Wm. Lee has built him a fine residence on his old home place near Hollis.

Mr. J. C. Beard of the Chew bottom was a business visitor to the city Monday.

Mr. Willis Reynolds of Harris school comunity was a visitor to the city Monday.

Ex-Governor Vardaman of Mississippi will lecture at A. and M. next Thursday.

Kurten has called Rev. D. C. Hargrove to pastor the First Baptist of that place.

ONE FOURTH OFF.

Our entire line of Ladies Skirts. Webb Bros. 36

Mr. Roland Walker with A. J. Wagner & Co., left Sunday for his home at Arlington.

Mr. John McCallum of Cameron's Ranch was a business visitor to the city Monday.

Mr. Fred Gilpin of Harris School community transacted business in the city Monday.

For Rent: Our home place with all modern conveniences. Terms reasonable. Geo. A. Adams. W15 38

Mr. L. B. Brinkley of Keith, Grimes county was a business visitor to the city Saturday.

Mr. Tom Benbow of Harris school community was a business visitor to the city Monday.

Mrs. John Hammock returned to Ennis Sunday after a visit to Mrs. Ben Knox of this city.

Wilson & Derden are showing the latest shades in yard wide messalines. 38

Just received another car Oklahoma ear corn on track. Phone 376. Vick's Feed Store. 36

Mr. T. A. Bullock of the firm of Bullock & Jones of Harvey transacted business here Monday.

Mr. Arthur Carter of Hollis has moved on the farm of Mrs. L. A. Barrow near George.

Mr. W. H. Mallet of Mesa, Grimes county was a business visitor to Bryan last Saturday afternoon.

Misses Maude Moore and Eula Gregg have returned to Pitts' Bridge, after a visit to friends in this city.

For Sale—Cordwood delivered to any part of the city.

HOWELL LUMBER CO.

Mr. Will Hall of Parker's school community was in the city yesterday en route to Houston and Galveston.

Mr. John Edge has returned to San

FOR LEASE—The Gentry 10 acres and house. Situated south of railroad tower, close in and fine truck land. Apply to G. P. Bittle, Bryan Texas. 41

Antonio, after a visit to his father, County Commissioner W. L. Edge of Harris School house.

Postmaster J. Allen Myers left yesterday to attend the annual session of the State Retail Hardware dealers, which will convene today in Dallas.

Dr. W. H. Lawrence returned Saturday from a trip to northwest Texas and Oklahoma points.

For Sale or Rent—My home place on Ursuline avenue, near Allen Academy. Apply to H. H. Henry. 41

Mr. R. B. Adams, I. & G. N. railway agent at Jewett, visited friends in this city Sunday.

Mrs. W. H. Oliver and children left Sunday afternoon for a trip to Houston.

Postoak wood for sale at $2.50 on the ground, $3.00 delivered. Straight split wood. W. J. Roberts. 37

LADIES.

Call and see our spring line of Muslin underwear fresh from the factory, prices, style and quality sure to please. Newest things in crossbarred muslin the fad of the momen.t Webb Bros.36

The first quarterly meeting for this year will be held at the First Methodist church Wednesday evening at7:30. Presiding Elder Willis, of Navasota, will conduct the religious services, as well as preside at the business meeting.

Wanted To Buy—High grade Jersey heifers. Aply to M. W. Sims, Jr. 41

TELMO.

We have purchased from Mr. Will Higgs his entire line of "Telmo" Canned Goods together with the exclusive right to handle this well known brand in Bryan. Everybody knows what Telmo means. Those who want these goods at the closest prices will telephone Sanders Bros. 104. 38

Mr. Roger Q. Astin and his mother, Mrs. O. H. Astin, left yesterday for McKinney.

New Messalines 36 inches wide in new spring shades. Wilson & Derden. 38

Prof. E. J. Kyle and Mrs. Kyle have returned from attending the Horticultural society meeting at Brownsville.

Mr. Noah Cole Walker returned last night to Abilene after a three week's visit to relatives and friends here.

Mr. and Mrs. A. J. Buchanan are in Houston, where Mr. Buchanan will conclude arrangements for his newspaper business here.

Mesdames E. F. Parks, George Wicker, T. R. Batte, Sr., and George Adams will give a tea at the home of Mrs. E. F. Parks Thursday afternoon from 3 to 6 for benefit of Ladies Aid Society of the Baptist church. All are cordially invited to attend. 38

Mr. A. W. Cloud of the firm of Buchanan & Cloud, is in Houston, looking after the disposal of a car of cattle and hogs which his firm shipped from BryanMonday.

For Rent—Four room cottage near Graded school. J. W. Batts, phone 37. 38

Mr. W. O. Hearn has returned from Kerrville. Mrs. Hearn will remain in the mountains for a while longer before returning. Her many friends willbe gratified to know that her health continues to steadily improve.

Miss Annie Syptak of Reliance was in the city on a shopping trip Monday.

Mr. C. L. Henry of Houston, with the Wells Fargo Express company, was in the city betweens trains yesterday.

For Sale—Fine combination buggy and saddle horse. Good mover and fine color. Perfectly gentle. Bob Harrison. d41w15

Mr. J. M. Mike, a former resident of Bryan, but now living in Cameron, is the guest of his brother, Mr. John B. Mike of this city.

Mr. R. L. O'Bryan, with A. J. Wagner & Co. of this city, left Sunday for Navasota where he will remain for a week in the house of this firm in that city.

were visitors to the city Sunday.

Little Miss Dora Peters left for her home in Mobile, Ala., Sunday, after an extended visit to Mr. and Mrs. Wash Utsey of this county.

Mr. James Harrison of Navasota came up Sunday for a visit to his brother, Mr. R. A. Harrison, and other relatives in this city, returning in the afternoon.

Growing Better.

Drew Selby Shoes have stood the test in Bryan for fifteen years and are growing better, many inferior makes have come and gone. Wilson & Derden. 37

SUBMISSION POSTPONED

* A telephone inquiry addressed by the Eagle to Hon. Jake Wolters at Austin last night at 11:10 o'clock, brings the information that the question of submission, which was made the special order of business for 3 o'clock Monday afternoon, by the legislature, was postponed until 10 o'clock this morning. *

Epworth League Officers.

The Senior Epworth League of the First Methodist church was reorganized Sunday afternoon, and the following officers were elected: President, Prof. C. M. Bethany; 1st. vice-president, Dr. W. H. Lawrence; 2nd. vice-president, Miss Mabel Zimmerman; 3rd vice-president, Miss Ella Ray Boyles; secretary, Miss Annie Dearing; treasurer, Miss Lucy Christian; organist, Miss Clara Mawhinney; Epworth Era agent, Miss Kate Lawrence.

The Junior League, organized recently, elected the following officers: President, James Morris; 1st. vice-president, Miss Ruby Davis; 2nd. vice-president, Miss Ruby Moseley; 3rd. vice-president, Miss Alda Lewis; 4th. vice-president, Earl Owens; secretary, Miss Esther Newland; treasurer, Edwin J. Jenkins, Jr.

Acquittal in County Court.

In county court Monday morning Meredith Montgomery, colored, charged with carrying a pistol, was acquitted by a jury.

Sam Taylor, colored, was before the court in the afternoon on the same charge.

Notice!

There are forty-six manufacturers of sewing machines in America.

How many can you name? How many did you ever hear of? One name comes to the mind of every woman immediately—The Singer—and there is a very good reason.

The Singer company makes and sells as many machines in each year as all the other forty-five combined.

Phone 105, T. A. Satterwhite, salesman and collector. tf

Brazos Bottom Farm for Rent.

For Rent—187 1-4 acres cultivated black land in Brazos bottom of Burleson county, near Wellborn, known as the T. R. Batte place. Address Mrs. Fannie Carroll. owner 115 East Myrtle Street, San Antonio, Texas. 36

BRYAN LADIES'

CHORAL CLUB CONCERT

OPERA HOUSE
FRIDAY, 8:30 P. M. **JAN. 22nd, 1909.**

SOLOISTS:

Mrs. W. C. Davis, Mr. Haraldt R. Techau,
Mr. J. Bert Graham, Mr Edw. Gruene

ADMISSION 50 CENTS

Fire! Fire! Fire!

The disastrous fire which has just occurred in Bryan's business district thoroughly exemplifies the need of insurance that pays. The facilities of our office are unexcelled and are at your command. Ring us and we will be "Johnny on the spot."

Moore, Robinson & Adams

Phone 265 Parker Building

33 1/3 Per cent Discount

ON OUR ENTIRE STOCK OF

Mens' Suits and Over-Coats

Nothing Reserved

Parks & Waldrop,

THE CLOTHIERS.

BUCHANAN & CLOUD

Butchers, Feeders and Shippers

BRYAN, TEXAS

WATCH FOR LIST OF

Seed Corn

and

Garden Seed

This Space

R. L. BROGDON

J. B. HINES

ALL KINDS OF INSURANCE

Telephone 161

Office Down Stairs in City Hall.

Miller House

BEST IN BRYAN.

$1.00 PER DAY . $5.00 PER WEEK

I have leased

The Bryan Hotel

Formerly conducted by W. P. Trant. EVERYTHING BRIGHT AND FRESH and service will be first-class. Day and weekly boarders solicited.

D. D. McALPINE, Prop.

Greisser's BREAD French Vienna' Rolls

Buy Tickets—It's Cheaper.

C. W. Buckhaults.

A few women may be slaves but most of them are enslavers.

HURRAH! HURRAH!! HURRAH!

The Big Skidoo Sale is extended 6 days longer in order to give our customers and friends, that have not had a chance to attend the **"Big Skidoo 23 Sale"** on account of the extreme bad weather that prevailed in early part of the past week, also to give those wise buyers of winter garments, a chance to get these goods at "Skidoo prices" every one should take advantage of this extended time and profit therefrom. Everybody comes to



On the Corner **EUGENE EDGE** *On the Corner*

Wag TICE & C

Only a few United States army Springfield rifles remain unsold. Never again will such a Rifle bargain come your way. Better come early and get one. Only a few left and the price is only—each **$1.95**

THE BRYAN EAGLE

The morning edition carries a complete telegraphic resume of events transpiring all the world over for the twelve hours preceding and up to the hour of going to press; full local service, and bright and timely editorials. Subscription price 33⅓c per month in advance. We invite your patronage.

The weekly edition is made up from the best in the daily; carrying telegraph, local news of town and county, crisp editorials, and many special articles prepared exclusively for this edition. We believe we are giving as good a paper for the price as any published in Texas. Subscription $1.00 per year. Sample copies sent on request.

FINE COMMERCIAL PRINTING

At Marwill's Cash Grocery

17½ lbs. Granulated Sugar for $1.00
Good Green Coffee, 8 and 10 lbs. to the $1.00

Bottled in Bond Whiskey $1.00 per Bottle
Good Wine $1.00 a Gallon.

Everything in the Grocery and Liquor Line Cheap for Cash.

GOODS ALL NEW AND FRESH



S. H. FRANKLIN'S

Meat Markets

Upper Market Phone 30
Lower Market Phone 326

Choicest of Beef, Pork, Veal, Mutton, and Sausage. Your trade is appreciated.

INSURANCE

Insure with me. I represent the Oldest and Best Companies. Your Business given my personal attention, and appreciated.

C. E. BOYETT

Fire, Tornado, Accident, Plate Glass, Bonds and Live Stock

Residence Phone 257. Office Phone 372.

WHOSE IS IT?

The Complete Drugstore — The Satisfactory Drugstore
The Convenient Drugstore — The Appreciative Drugstore
The Accommodating Drugstore

M. H. JAMES

ALWAYS READY

With the Newest Seasonable Fabrics for Men's Clothing. The old reliable

JOHN WITTMAN TAILOR SHOP

Can always be depended on for Quality, Style, Fit and Promptness. Give us your orders. JOHN WITTMAN, Merchant Tailor

LITTLE LOCALS.

Mr. W. B. Skains sold 200 head of feeder steers which are to be shipped to Georgetown.

Messrs. Buchanan & Cloud made a shipment of a car of cattle and hogs to Houston Monday afternoon.

The new granitoid pavement around the First Baptist church is now ready for use. It is a great improvement.

S lemn requiem mass for those killed by the recent earthquake in Italy will be celebrated at St. Anthony's this morning at 9 o'clock.

All the churches have been working on the question of tardiness in attendance, and all report decided improvement since the op ning of the new year.

The stork visited the home of Dr. and Mrs. Julus Zulch at Zulch, Madison county, Monday morning and left with them a beautiful baby girl.

Mr. George Dongho, merchant at George, Texas, who has been confined to his bed for 80 days with typhoid fever, has taken the third relapse and his many friends are much concerned in his behalf.

County Commissioner J. C. Blume was a pleasant caller at the Eagle office yesterday and stated that the bridge on the Little Brazos River at Rocky Ford had been finished and was ready for travel.

Dr. Isaac Alexander, Chaplain of the A. & M. College, was indisposed last week, but was able to preach Sunday. Dr. Alexander is widely known and highly esteemed as both an educator and preacher.

The Pastors' Union met yesterday morning in the study of the First Christian church. Nothing of importance was done. The Union will re-organize as soon as all the churches co-operating are supplied with pastors.

Mrs. G. W. Brogdon and family are arranging to move to Beaumont. Their household effects were being placed in a car yesterday for shipment, to their new home.

The members of the Christian church had an enthusiastic meeting at the close of the morning service Sunday, to consider the question of paying off the debt on the church. The outlook is bright for paying the debt in the near future.

License was issued Monday authorizing the marriage of Mr. Anton A. Simon and Miss Mary Valouch. The bride resides with her parents two miles south of this city, and the groom is a resident of Houston. Mr. andMrs. Simon will make their home in Houston.

Dr. George R. Tabor has leased Mrs. Wm. Howell's place on Dallas street and he and his family will make Bryan their future home. Dr. and Mrs. Tabor are already here, and will be established in their new home in a short time. The doctor was state health officer under the administration of Governor S. W. T. Lanham.

Mr. Bud Sandel of George has returned with quite a number of others from a prospective trip to West Texas. He says out there land is too high, rent is too high, water is too scarce, there is no wood, and altogether it takes too much money, teams and machinery for a man of small means to get a start, and that Madison, Grimes and Brazos counties are the place.

A colored man appeared before Judge McGee at the latter's office in the court house yesterday afternoon, stating that he wished to make a complaint against another colored man for disturbing the peace. "All right," said the judge, preparing to fill out the proper blank authorizing the arrest of the party complained of; "What is his name? "Annanias," was the reply. "Yes, said the Judge, but what is his other name?" "Don't know," he replied, "never heard him called anything else 'cept Annanias. The Judge decided that with the rapidly growing Annanias club the chance of getting the right man was too remote to issue, and told the complainant to go learn the disturber's second name.

FOR RENT: Bottomland, Burleson county, near Wellborn, known as the T. R. Batte place. Owner, Mrs. Fannie Carroll, 1115 East Myrtle St., San Antonio, Texas. 45

Parker School Items.

We had preaching service here Sunday.

Mr. Frank Scott has moved from Clayton Prairie to the Nelson Dulaney place.

Mr. Wm. Smith's baby got its hand severely burned on the hot stove recently.

Mr. W. W. Hall left yesterday for Houston.

The Hall boys, W. W. and C. L., have erected a new barn, rithing out the shingles and splitting the laths, and doing all the work. The building is 22x28and the actual cost in money amounted to $2.90.

Attention K's. of P.

Regular meeting of K. of P. Lodge at 8 o'clock tonight. All members are expected to attend. Visiting Knights in the city are cordially invited to meet with us. C. M. Bell, C. C.

The Rink will Close for the Season, Saturday, Jan. 23.

Stevenson Machine & Repair Works

GASOLINE ENGINES

PHONE NO. 7 — BRYAN, TEXAS

MAY THIS NEW YEAR PROVE HAPPY

AND PROSPEROUS TO YOU

We beg to thank you for past favors and trust that our efforts will continue to merit your confidence and that our future dealings will prove mutually gratifying.

TYLER HASWELL

JAMES & NUNN

Offer the public a Complete Stock of everything in the lines of

Furniture and Undertaker

Prices are moderate and service prompt and efficient.

JAMES & NUNN